

## Message Text

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ORIGIN EB-07

INFO OCT-01 AF-06 ARA-06 EUR-12 EA-06 NEA-09 IO-10 ISO-00

AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-01 H-01

INR-07 INT-05 L-02 LAB-04 NSAE-00 NSC-05 PA-01 RSC-01

AID-05 CIEP-01 SS-15 STR-01 TAR-01 TRSE-00 PRS-01

SP-02 OMB-01 FEA-01 USIE-00 INRE-00 NSCE-00 SSO-00

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EA/ROC:KWEAVER(SUBS)

ARA/BR:JSLATTERY(SUBS)

EUR/RPE:JMCCARTHY(SUBS)

EUR/CE:BFLATIN(SUBS)

EA/J:DBROWN(SUBS)

EUR/CAN:DHOLTEN(SUBS)

ARA/MEX:GFALK(SUBS)

NEA/INS:DKUX

EA/K:HNEWSOM

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FM SECSTATE WASHDC

TO AMEMBASSY PRETORIA IMMEDIATE

AMEMBASSY TAIPEI IMMEDIATE

AMEMBASSY BRASILIA IMMEDIATE

AMEMBASSY BERN IMMEDIATE

AMEMBASSY VIENNA IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

AMEMBASSY OTTAWA IMMEDIATE

AMEMBASSY MEXICO IMMEDIATE

AMEMBASSY NEW DELHI IMMEDIATE

AMEMBASSY SEOUL IMMEDIATE

AMEMBASSY BRUSSELS IMMEDIATE

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AMEMBASSY ROME IMMEDIATE

AMEMBASSY PARIS IMMEDIATE  
AMEMBASSY BONN IMMEDIATE  
AMEMBASSY LONDON IMMEDIATE  
AMEMBASSY COPENHAGEN IMMEDIATE  
AMEMBASSY DUBLIN IMMEDIATE  
AMEMBASSY THE HAGUE IMMEDIATE  
AMEMBASSY LUXEMBOURG IMMEDIATE  
USMISSION EC BRUSSELS IMMEDIATE  
AMEMBASSY BUENOS AIRES IMMEDIATE  
INFO USMISSION GENEVA  
USMISSION OECD PARIS  
AMCONSUL CAPE TOWN

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E.O. 11652: N/A

TAGS: ETRD,

SUBJECT: TREASURY TO PUBLISH COUNTERVAILING DUTY COMPLAINTS  
IN FEDERAL REGISTER

1. TREASURY WILL ISSUE FOLLOWING PRESS RELEASE THURSDAY,  
JANUARY 9, BEGIN QUOTE: ASSISTANT SECRETARY OF TREASURY  
DAVID R. MACDONALD TODAY ANNOUNCED THAT PURSUANT TO PRO-

VISIONS OF THE TRADE ACT OF 1974, SIGNED BY PRESIDENT FORD  
ON JANUARY 3, 1975, THE TREASURY WILL PUBLISH SHORTLY A  
NOTICE LISTING ALL COMPLAINTS WHICH HAVE BEEN RECEIVED  
UNDER THE COUNTERVAILING DUTY LAW AND IN WHICH TREASURY HAS  
NOT YET PUBLISHED NOTICE OF INVESTIGATION. UNDER PREVIOUS  
TREASURY PROCEDURES, NO PUBLIC NOTICE WAS MADE UNTIL AFTER  
AN INQUIRY HAD BEEN CONDUCTED ESTABLISHING THE PROBABLE  
VALIDITY OF THE ALLEGATIONS. NOW, HOWEVER, THE ACT  
REQUIRES THAT ALL COMPLAINTS, ALLEGING THAT GOODS EXPORTED  
TO THE U.S. HAVE BENEFITTED FROM BOUNTIES OR GRANTS IN THE  
COUNTRY OF EXPORT, BE PUBLISHED WHEN RECEIVED IN PROPER  
FORM, AND THAT COMPLAINTS PENDING ON THE DATE OF ENACTMENT  
OF THE ACT BE TREATED AS IF RECEIVED ON THAT DATE.

2. MR. MACDONALD SAID THAT THE NOTICE WOULD LIST 30  
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SEPARATE CASES FROM 19 DIFFERENT COUNTRIES, INVOLVING A  
VARIETY OF PRODUCTS. HE EMPHASIZED THAT UNDER THE NEW  
PROCEDURES, PUBLICATION OF THE NOTICE WHICH WILL APPEAR IN

THE FEDERAL REGISTER SOMETIME NEXT WEEK, IS A PROCEDURAL  
STEP REQUIRED BY LAW, AND DOES NOT INDICATE THAT TREASURY  
HAS MADE ANY DECISION ON THE VALIDITY OF THE ALLEGATIONS  
CONTAINED IN THE COMPLAINTS. IN THESE CASES, THE TREAS-

URY WILL HAVE UP TO SIX MONTHS TO INVESTIGATE THESE CHARGES AND TO MAKE A PRELIMINARY DETERMINATION, AND THEN UP TO AN ADDITIONAL SIX MONTHS BEFORE DECIDING WHETHER THE IMPOSITION OF ADDITIONAL, COUNTERVAILING DUTIES IS WARRANTED. HE ADDED THAT WHILE NO NOTICE OF INVESTIGATION HAS PREVIOUSLY BEEN PUBLISHED IN ANY OF THESE CASES, TREASURY HAS IN SEVERAL INSTANCES ALREADY CONDUCTED INQUIRIES AND ENGAGED IN DISCUSSIONS WITH THE GOVERNMENTS CONCERNED. FOR INSTANCE, IN THE CASE OF DAIRY PRODUCTS FROM THE EUROPEAN COMMUNITY, CONSIDERABLE PROGRESS HAS ALREADY BEEN MADE TOWARD RESOLVING THE ISSUES IN THAT COMPLAINT.

3. IN ADDITION TO THESE 30 CASES, THERE ARE FOUR OTHER COUNTERVAILING DUTY INVESTIGATIONS WHICH WERE FORMALLY OPENED PRIOR TO ENACTMENT OF THE ACT WHICH ARE PENDING. THOSE INVESTIGATIONS SHOULD BE COMPLETED IN THE NEAR FUTURE. END QUOTE.

4. POSTS WILL BE NOTIFIED OF FURTHER DETAILS RELATIVE TO PRODUCTS IN THEIR COUNTRIES BY SEPTEL, AND WILL BE INFORMED OF FURTHER DEVELOPMENTS IN THESE CASES AS THEY OCCUR. TREASURY OFFICIALS WILL INFORM EMBASSIES IN WASHINGTON. POSTS MAY DRAW ON ABOVE IN RESPONDING TO INQUIRIES AND SHOULD EMPHASIZE THAT PUBLICATION OF COMPLAINTS AT THIS TIME SHOULD BE VIEWED AS FULLFILLMENT OF A STATUTORY REQUIREMENT OF THE AMENDED COUNTERVAILING DUTY LAW. KISSINGER

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